

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24142 OF 2006

20.11.2006

Between:

Devarapalli Seshidharreddy, S/o.Janardhanreddy

... Petitioner

AND

The Secretary to Government of Andhra Pradesh,
Revenue Department, Secretariat, Hyderabad
And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.24142 OF 2006

ORDER:

The petitioner is a resident of Padamatipalem village of Sangem Mandal in Nellore District. Statedly he owns agricultural land admeasuring Acs.6.00 in survey No.575 of Padamatipalem village. He alleges that respondents 5 and 6 without obtaining any prior permission from any authorities, converted their agricultural lands abutting the petitioner's land into prawn culture ponds resulting in damage to the petitioner's land. Therefore, he approached the District Collector and Mandal Revenue Officer on 02.12.2005 seeking necessary redressal to prevent the damage to the land by destroying prawn culture tanks, in vain. Therefore, he filed the present writ petition.

Whether a private patta holder can convert agricultural lands into aquaculture/fish culture/prawn culture tanks without obtaining prior permission of revenue authorities or aquaculture authorities, was considered by a Division Bench of this Court, in **Madireddy Padma Rambabu v. District Forest Officer, Kakinada**^[1], to which I was a member. The Division Bench, in the said case, categorically laid down that no farmer or agriculturist can convert aquaculture land for such non-agricultural purposes without obtaining prior permission. This Court also gave directions to all the revenue authorities to follow due process of law and remove prawn culture tanks. Following the same, the writ petition is disposed of. Be it recorded that this Court has not expressed any opinion on the allegation that respondents 5 and 6 have converted their lands into prawn culture tanks illegal nor this order enables the Mandal Revenue Officer, Sangem Mandal, to take action against respondents 5 and 6 without issuing notice to them.

The writ petition, with the above observations, is accordingly disposed of. No costs.

(V.V.S.RAO, J)

November 20, 2006

YS

^[1] 2002 (1) ALD 728 (DB)